

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, California 95814



# Children's Residential Care Update

## APRIL 2006

### **COMMUNITY CARE LICENSING DIVISION CHILDREN'S RESIDENTIAL CARE UPDATE**

It's spring again, the season of warm weather, birds that sing and flowers that bloom. This is our second Children's Residential Care Update for 2006. The Updates continue to be an important method for sharing information. We appreciate your support in sharing these Updates with members in your organization and others interested in children's issues.

### **CHAPTERED LEGISLATION FOR 2005**

Several bills that affect children's residential care facilities were passed by the Legislature and approved by the Governor in 2005. A summary and implementation plan for each of these bills is available on the Community Care Licensing Division (CCLD) website. Unless otherwise noted in the summary and implementation plan, the provisions of each of these bills became effective on January 1, 2006. All licensees are encouraged to review these plans to ensure that their facilities are in compliance with any provisions of these bills that may affect them.

The implementation plans are available at:

<http://ccl.dss.cahwnet.gov/res/pdf/06apx02.pdf>. Please note that depending on the version of software you are currently using, it might be necessary to press your control key to activate the hyperlinks found throughout this document.

### **COMMUNITY CARE LICENSING DIVISION INFORMATION RELEASES**

As announced in the previous Children's Residential Care Update, CCLD has initiated a new process for distributing newly implemented policies and procedures to licensing staff, facility licensees and other interested parties in a timely and efficient manner. This new process consists of distributing Information Releases to CCLD staff and also posting these

memos onto the CCLD website. Information Releases can be accessed by CCLD staff and the public at [http://ccl.dss.cahwnet.gov/CommunityC\\_2284.htm](http://ccl.dss.cahwnet.gov/CommunityC_2284.htm).

There are two new Information Releases for 2006. One Information Release clarifies field staff [visit](#) types and the other clarifies the issue of [telephone](#) access for children and youth in out-of-home care. There are a total of five Information Releases, three from 2005, on the site currently. Keeping current with licensing requirements is an important part of the operation of any licensed facility. Licensees are encouraged to check the link referred to above on a regular basis for updated information on the licensing program.

## **PILOT PROJECT**

The Department of Social Services (DSS), CCLD and the Department of Developmental Services (DDS) are conducting a joint pilot project on the licensure of facilities that serve the developmentally disabled population. Applicants interested in providing residential and programming services to the developmentally disabled population need to go through two similar application or approval processes; one through CCLD and the other through the regional center. The pilot project entails integrating parts of the CCLD application and regional center vendorization process. The pilot project will test the effectiveness of integrating both processes to expedite the issuance of a facility license.

The pilot project is voluntary to applicants. It will impact facilities serving developmentally disabled individuals and vendorized by the San Gabriel/Pomona Regional Center covering portions of Los Angeles County. Facility types affected will include Adult Residential Facilities, Group Homes, Small Family Homes and Residential Care Facilities for the Elderly. The pilot project will include the processing of initial applications, change of ownership, and downsizing of large capacity facilities to multiple smaller capacity facilities. The pilot project will not include facility relocations or capacity changes at the same facility location. If you have questions regarding the pilot project, please contact Mei Yuk Kung of the Children's Residential Program at (916) 327-8763.

## **REMINDER TO LIST LICENSE NUMBER IN ADVERTISEMENTS**

Licensees are required to reveal each facility license number in all advertisements, publications, correspondence and announcements in accordance with Health and Safety Code Section 1514. This applies to: newspapers; magazines; consumer reports; announcements of intent to commence business; telephone directory in yellow pages; professional and service directories; radio and television commercials; and internet or web sites. This ensures that the public knows which facilities are licensed and thereby protects clients and their families. Foster Family Homes are exempt from this requirement.

## CRIMINAL RECORD EXEMPTION REQUESTS

There have been recent revisions to the exemption request procedures when a licensee chooses not to request an exemption on behalf of a prospective employee who has a criminal record.

*AS A REMINDER:* If a licensee chooses not to request a criminal record exemption for a prospective employee, the individual has the right to request an exemption on his/her own behalf. Without a criminal record exemption, the individual cannot work in or be associated with any licensed facility.

When an individual has a criminal record, the CCLD Caregiver Background Check Bureau will send an “exemption needed” letter to the licensee of the facility the individual is associated with and a second, similar letter to the individual at his/her home address. Please see the attached **sample** exemption letters for [licensees](#) and prospective [employees](#).

The letter to the licensee asks if the licensee wants to request an exemption on behalf of the individual. The letter lists all of the items that must be submitted to request an exemption. If the licensee chooses to request an exemption on behalf of the individual, the licensee must check the “yes” box on page two of the letter, and sign and return the letter along with the required items within the timeframe specified in the letter. If the licensee does not want to request an exemption on behalf of the individual, he/she must check the no box that applies, and sign and return the second page of the letter. In that situation, the individual is disassociated from the facility. Because a similar “exemption needed” letter is sent to the prospective employee’s home address, ***licensees no longer have the responsibility of giving the prospective employee an exemption needed letter.***

The letter sent to the prospective employee’s home address informs the individual that he/she must obtain an exemption either in coordination with the licensee or on his/her own in order to work in any licensed facility. Like the letter to the licensee, the letter to the individual lists all the items that must be submitted to request an exemption as well as the required timeframes. If the individual requests an exemption on his/her own and it is approved, the exemption may be transferred to any licensee who wishes to hire him/her. The licensee must receive written notice that the exemption transfer has been approved **before** the individual can work in the facility.

## MEDICATION PROCEDURES

This article serves as a reminder to licensees and facility staff of how important it is to handle medications with care. If not managed properly, medications intended to help a child’s health condition may place their health and safety at risk. Community Care Facilities are not required to have licensed medical professionals on staff and therefore decisions staff can make about medications are limited. Sometimes it may be difficult for facility staff to ascertain or determine the appropriate course of action from the regulations alone. Therefore, the Technical Support Program Self-Assessment Guide-Medications was created to assist licensees and their staff in understanding and complying with

regulatory requirements regarding medications. This guide can be accessed at <http://ccl.dss.cahwnet.gov/Res/pdf/Medications.pdf>. Please note that this guide cannot be used as a substitute for knowledge of the regulations.

## **RESIDENTIAL CARE STATISTICS**

All of the statistics for licensed children's residential care facilities are now available online. When you visit the CCLD home page, click on the link on the left side of the page that is titled, "[Licensing Overview](#)." After clicking on "Licensing Overview," click on "Basic Statistics About Licensed Facilities." Then click on the first bullet that says, "Number of State Licensed Facilities, by County." Scroll to the end of the document for the statewide totals. Further breakouts by category and location are still available. Please direct your requests to Sarah Fernandes, Central Operations Branch, at (916) 327-2406. Directories can also be obtained from your local licensing office. Please see the attached [list](#) for phone numbers and locations of Children's Residential Care Program offices.

## **SUMMARY**

If you have questions about items included in this Update or suggestions for future topics, please contact Barbara Rooney, Chief of the Technical Assistance and Policy Branch at (916) 657-2346. Also, please visit our website at [www.cclid.ca.gov](http://www.cclid.ca.gov) to obtain copies of Updates, office locations, provider letters, regulations, or to learn more about licensing services.

Sincerely,

JO FREDERICK  
Deputy Director  
Community Care Licensing Division

Enclosures